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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,332	06/15/2000	Ryan W. Battle	MS1-0826US	8527
22801	7590	07/16/2007	EXAMINER	
LEE & HAYES PLLC			SWEARINGEN, JEFFREY R	
421 W RIVERSIDE AVENUE SUITE 500			ART UNIT	
SPOKANE, WA 99201			2145	
			MAIL DATE	DELIVERY MODE
			07/16/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/594,332	BATTLE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jeffrey R. Swearingen	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 6/26/07 have been fully considered but they are not persuasive.
2. Applicant's representative, Emmanuel Rivera, and the Examiner held a telephonic interview on June 13, 2007. **Applicant's representative has made no new arguments in the response of 6/26/2007 that were not raised during the interview.** As clearly stated in the interview summary prepared by the Examiner, **Applicant's representative was explicitly informed that the arguments being made would not overcome the Win reference.** As clearly stated in the interview summary prepared by the Examiner, **Applicant's representative was explicitly informed that substantial claim amendments would be required to overcome the Win reference.**
3. It is noted that an interview was granted during prosecution of this application on 2/16/2006, in which Applicant's representative, Emmanuel Rivera, stated that claim amendments would be forth coming following the interview. No claim amendments were submitted following the interview of 2/16/2006.
4. **Applicant's representative should prepare proposed claim amendments in advance of any future requests for interviews with the Examiner.** MPEP 713.01, III: "An interview should be had only when the nature of the case is such that the interview could serve to develop and clarify specific issues and lead to a mutual understanding between the examiner and the applicant, and thereby advance the prosecution of the application. Thus, the attorney when presenting himself or herself for an interview should be fully prepared to discuss the issues raised in the Office action. When it is obvious that the attorney is not so prepared, an interview should not be permitted. It is desirable that the attorney or applicant indicated in advance what issues he or she desires to discuss at the interview by submitting, in writing, a proposed amendment. This would permit the examiner to prepare in advance for the interview and to focus on the matters set forth in the proposed amendment." (emphasis in original)
5. Applicant argued that Win failed to include "clearing cookies from the browser by setting the cookies' values to nothing and the cookies' expire time to a past date." Setting the cookie expiration times to a past value is accomplished in column 11, lines 16-17, where a cookie is returned with an expiration time in the past. Setting the cookies' value to nothing occurs in column 11, lines 18-20, where

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the cookie is discarded. When a cookie is discarded, its value is set to "nothing." Applicant's specification, page 12, line 6, explicitly states that setting the cookies value to nothing clears the cookie. This is the same functionality as the Win reference. Applicant's specification never disclosed any reference to setting a null value in a cookie as Applicant's representative attempted to argue. See further the concise explanation given to Applicant's representative of this position during the telephonic interview of 6/13/2007 as shown in the interview summary.

6. Applicant's argument in reference to dependent claims 2-6 and 33, independent claim 7, dependent claims 8, 9 and 34, independent claim 10, dependent claim 35, independent claim 11, dependent claims 12, 13 and 14, independent claim 15, dependent claim 36, independent claim 16, dependent claim 37, independent claim 17, dependent claim 38, independent claim 18, dependent claims 20-23 and 39, independent claim 24, dependent claims 25-28 and 40, independent claim 29, dependent claim 30, independent claim 31, dependent claim 32, and dependent claim 19 all constitute the same argument – the claims fail to teach setting a cookie value to nothing. See paragraph 3 above.

7. Applicant's response of 6/26/2007 seems to indicate that amendments to the claims were made with this submission. Remarks, page 17, line 1: "Claim 1 has been amended..." **Applicant's representative failed to make any claim amendments with this submission. Applicant's representative was explicitly informed on 6/13/2007 during the telephonic interview that "substantial claim amendments" would be necessary to overcome the Win reference.**

#### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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9. Claims 1-18 and 20-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Win et al. (US 6,453,353 B1).

10. In regard to claims 1, 7, 10, 11, 15, 16, 17, 18, 24, 29, and 31, Win disclosed:

*receiving a selection of a logout link; [Win, column 11, lines 11-13]*

*generating a logout page for display on a browser being used by the user; [Win, column 11, lines 11-13]*

*causing a request for data from the server to be issued by the browser; [Win, column 11, lines 13-15]*

*clearing cookies from the browser by setting the cookies' values to nothing and the cookies' expire time to a past date; [Win, column 11, lines 15-20]*

*wherein the cookies include data provided by the browser to the server [Win, column 10, lines 41-55]*

*wherein further the data contains at least one of:*

*a date and time that the user is authenticated by an authentication server,*

*a profile for the user, and*

*a list of sites visited by the user following a most recent logout from the authentication server, wherein the sites include web servers [Win, column 10, lines 41-55]*

*and receiving and displaying an image from multiple servers by receiving source image tags from the authentication server; issuing get image requests to URLs identified by the image tags; rendering an image received in responses from the domain servers; [Win, column 11, line 12-13. The system's logout page included images. Examples of the pages used by Win are shown in the Personalized Menu Service in column 11, lines 42-64.*

11. In regard to claims 2, 8, Win disclosed:

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*the request further causes the server to send an image to the browser which is indicative of successful logout.* [Win, column 11, lines 42-64. The Personalized Menu Service is returned upon logout.]

12. In regard to claims 3, 9, 26 Win disclosed:

*multiple servers are logged out of by selection of a single logout link.* [Win, column 11, lines 10-20.]

13. In regard to claims 4, 27, Win disclosed:

*the logout link may be located on any of the multiple servers and an authentication server.* [Win, column 11, lines 10-20]

14. In regard to claim 5, Win disclosed:

*a visited sites cookie maintains a list of all sites logged into by the user.* [Win, column 10, lines 41-55]

15. In regard to claim 6, Win disclosed:

*selected cookies are expired to log out of the server.* [Win, column 11, lines 13-20]

16. In regard to claim 12, Win disclosed:

*maintaining a list of servers that a user has logged into identified by site ID.* [column 10, lines 1-55]

17. In regard to claim 13, Win disclosed:

*a list of servers is used to identify the link to each expire cookies page on each server.*  
[Win, column 11, lines 10-20]

18. In regard to claim 14, Win disclosed:

*the request for a logout page can be initiated via different server pages.* [Win, column 11, lines 10-20]

19. In regard to claim 20, Win disclosed:

*the image tag ensures that the image will not be retrieved from cache.* [Win, column 11, lines 57-58]

20. In regard to claims 21, 30, 32, Win disclosed:

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*the image tag includes a query.* [Win, column 11, lines 57-58. The "query" accesses a URL.]

21. In regard to claims 22, 25, Win disclosed:

*the domain servers logged into are identified in a visited sites data structure.* [Win, column 10, lines 1-40]

22. In regard to claim 23, Win disclosed:

*the data structure comprises a cookie.* [Win, column 10, lines 41-65]

23. In regard to claim 28, Win disclosed:

*the cookies comprise user personal information.* [Win, column 10, lines 41-55]

24. In regard to claim 33, Win disclosed:

*the data contains at least one of:*

*a date and time that the user is authenticated by an authentication server, and*

*a profile for the user.*

[Win, column 10, lines 41-55]

25. In regard to claims 34-40, Win disclosed:

*the data contains at least one of:*

*a date and time that the user is authenticated by an authentication server;*

*a profile for the user, and*

*a list of sites visited by the user following a most recent logout from the authentication server, wherein the sites include web servers.*

[Win, column 10, lines 41-55]

### ***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Win in view of Official Notice.

28. Win disclosed the use of images in column 11, lines 42-64, under the Personalized Menu Service. Win failed to explicitly state that the icons and graphic buttons used in lines 57-58 were checkmarks. However, Official Notice is taken that a checkmark is a well known graphic image. It would have been obvious to one of ordinary skill in the art to use any image with Win, including a checkmark.

### ***Conclusion***

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Art Unit 2145

JRS